

Applicant: Stephen Bardell et al.
Appl. No.: 10/537,392

REMARKS

The Applicant thanks the Examiner for the careful consideration of this application.

Claims 1, 3, 7, 10, 12-15, and 17-20 are currently pending. Claims 1, 3, 7, 12, 13, and 17, and the specification and drawings, have been amended. Claims 2, 4-6, 8, 9, 11, and 16 have been cancelled, without prejudice. New claims 19 and 20 have been added. Based on the foregoing amendments and the following remarks, the Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Information Disclosure Statement

An Information Disclosure Statement (IDS) was filed in this application on June 2, 2005.

The Form PTO/SB/08A accompanying the IDS, a copy of which is attached hereto, cited three U.S. references (cite numbers AA-AC) and one foreign reference (GB 2 172 425, cite number AD). A copy of GB 2 172 425 was not submitted with the IDS by the Applicant, since it was the Applicant's understanding that the reference would be provided to the U.S. Patent and Trademark Office (USPTO) in accordance with the exchange program between the USPTO, the EPO, and the JPO.

A copy of the Form PTO/SB/08A submitted on June 2, 2005 was returned to the Applicant with the present Office Action, however, the Examiner struck out cite number AD, indicating that reference GB 2 172 425 had not been considered. The Applicant assumes this is because the USPTO did not receive a copy of the reference in accordance with the

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aforementioned exchange program. Therefore, in order to have reference GB 2 172 425 considered by the USPTO, enclosed herewith is a copy of the reference.

The Applicant respectfully requests that the USPTO consider reference GB 2 172 425,
and indicate the consideration of the reference by the initialing the appropriate box next to cite
number AD on the enclosed copy of the Form PTO/SB/08A originally submitted on June 2,
2005, and by singing and dating the PTO/SB/08A, and returning it to the Applicant with the next
correspondence. The Applicant respectfully submits that no fee is due for the citation of this reference, since it should have been provided to the USPTO in accordance with the aforementioned exchange program. However, should any fee be due, the Applicant authorizes the USPTO to charge such fee to Deposit Account No. 22-0261, and to advise the undersigned accordingly.

Objections to the Specification

(1) The Office Action objected to the specification for containing various informalities.

The specification has been amended, pursuant to the Office Action's recommendations, to correct these informalities. Accordingly, the Applicant respectfully requests that the objections to the specification be withdrawn.

(2) The Office Action objected to the specification for failing to provide proper antecedent basis for the subject matter of claims 4, 8, and 11. Solely to expedite prosecution, claims 4, 8, and 11 have been canceled, without prejudice, thereby rendering this objection moot.

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Objections to the Drawings

(1) The Office Action objected to Figures 1 and 1a for lacking the label “Prior Art.”

Figures 1 and 1a have been amended to include the label “Prior Art,” and accordingly, the Applicant respectfully requests that this objection be withdrawn.

(2) The Office Action objected to the drawings for failing to depict the features of claims 4, 8, and 11. Solely to expedite prosecution, claims 4, 8, and 11 have been canceled, without prejudice, thereby rendering this objection moot.

Objections to the Claims

The Office Action objected to claims 5, 7, and 10-13 for various informalities. Claims 5 and 11 have been canceled, without prejudice. Claims 7, 10, 12, and 13 have been amended to address the informalities, as suggested by the Office Action. Accordingly, the Applicant respectfully requests that the objections to the claims be withdrawn.

Rejections under 35 U.S.C. § 112

The Office Action rejected claims 2-5, 9, and 11 under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 2, 4, 5, 9, and 11 have been cancelled, without prejudice. Claim 3 has been amended to depend from claim 1. In view of the foregoing, the Applicant respectfully requests that the rejections under 35 U.S.C. § 112, second paragraph, be withdrawn.

Rejections under 35 U.S.C. §§ 102 and 103

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The Office Action rejected claims 1-3, 6-10, 11-14, and 16 under 35 U.S.C. § 102(b) as being anticipated by any one of U.K. Patent Application GB 2 172 424 A to Esterson et al. (“Esterson”), U.S. Patent No. 5,684,364 to Heppinstall et al. (“Heppinstall”), and U.S. Patent No. 2,903,614 to Priest et al. (“Priest”). The Office Action also rejected claim 15 as being anticipated by Esterson or Priest. In addition, the Office Action rejected claims 17 and 18 under 35 U.S.C. § 103(a) as being obvious over any one of Esterson, Heppinstall, and Priest. Claims 2, 4-6, 8, 9, 11, and 16 have been canceled, without prejudice. Claims 1 and 12 are the independent claims. The Applicant respectfully traverses these rejections for the following reasons.

(1) Esterson

Esterson does not disclose or suggest “a member interposed between [a] balance ring and [a] mounting component, the member having a lower coefficient of friction than both the balance ring and the mounting component, whereby the member is arranged to allow relative sliding movement between the balance ring and the mounting component in a radial direction,” as recited by amended claim 1. Nor does Esterson disclose or suggest the analogous arrangement recited by amended claim 12.

The Office Action apparently aligns the copper annulus 3 of Esterson with the claimed “mounting component,” and aligns the balance ring 12 of Esterson with the claimed “balance ring.” However, Esterson does not disclose or suggest “a member interposed between” the balance ring 12 and the copper annulus 3, as claimed. Furthermore, Esterson does not disclose or suggest such a “member having a lower coefficient of friction than both the balance ring and the mounting component, whereby the member is arranged to allow relative sliding movement between the balance

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ring and the mounting component in a radial direction,” as further claimed. Instead, Esterson discloses that the balance ring 12 bears directly on the copper annulus 3, and slides directly thereon (see Esterson at FIG. 2), which can lead to binding between the balance ring 12 and the copper annulus 3, as described in the last paragraph on page 6 of the present application.

For the foregoing reasons, Esterson does not disclose or suggest “a member interposed between [a] balance ring and [a] mounting component, the member having a lower coefficient of friction than both the balance ring and the mounting component, whereby the member is arranged to allow relative sliding movement between the balance ring and the mounting component in a radial direction,” as recited by amended claim 1, nor does it disclose or suggest the analogous arrangement recited by amended claim 12.

(2) Heppinstall

Heppinstall also fails to disclose or suggest “a member interposed between [a] balance ring and [a] mounting component, the member having a lower coefficient of friction than both the balance ring and the mounting component, whereby the member is arranged to allow relative sliding movement between the balance ring and the mounting component in a radial direction,” as recited by amended claim 1, as well as the analogous arrangement recited by amended claim 12.

The Office Action apparently aligns the electrode 1 or 3 of Heppinstall with the claimed “mounting component,” and aligns the ceramic ring 4 or 5 of Heppinstall with the claimed “balance ring.” However, Heppinstall does not disclose or suggest “a member interposed between” the ceramic ring 4 or 5 and the electrode 1 or 3, as claimed. Furthermore, Esterson does not disclose or suggest such a “member having a lower coefficient of friction than both the balance ring and the

mounting component, whereby the member is arranged to allow relative sliding movement between the balance ring and the mounting component in a radial direction,” as further claimed. Instead, Heppinstall discloses that the ceramic rings 4 and 5 both bear directly on the respective electrodes 1 and 3, and slide directly thereon. (See Heppinstall at FIG. 1.) This can lead to binding between the ceramic rings 4 and 5 and the respective electrodes 1 and 3, as described in the last paragraph on page 6 of the present application.

For the foregoing reasons, Heppinstall does not disclose or suggest “a member interposed between [a] balance ring and [a] mounting component, the member having a lower coefficient of friction than both the balance ring and the mounting component, whereby the member is arranged to allow relative sliding movement between the balance ring and the mounting component in a radial direction,” as recited by amended claim 1, nor does it disclose or suggest the analogous arrangement recited by amended claim 12.

(3) Priest

Priest also fails to disclose or suggest “a member interposed between [a] balance ring and [a] mounting component, the member having a lower coefficient of friction than both the balance ring and the mounting component, whereby the member is arranged to allow relative sliding movement between the balance ring and the mounting component in a radial direction,” as recited by amended claim 1, as well as the analogous arrangement recited by amended claim 12.

The Office Action apparently aligns the end wall 25 of Priest with the claimed “mounting component,” and aligns the metalized portion 33 of the backing ring 31 of Priest with the claimed “balance ring.” However, Priest does not disclose or suggest “a member interposed between” the

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end wall 25 and the metalized portion 33, as claimed. Furthermore, Priest does not disclose or suggest such a “member having a lower coefficient of friction than both the balance ring and the mounting component, whereby the member is arranged to allow relative sliding movement between the balance ring and the mounting component in a radial direction,” as further claimed. Instead, Priest discloses that the backing ring 31 bears directly on the end wall 25, and slides directly thereon. (See Priest at FIG. 2.) This can lead to binding between the backing ring 31 and the end wall 25, as described in the last paragraph on page 6 of the present application.

For the foregoing reasons, Priest does not disclose or suggest “a member interposed between [a] balance ring and [a] mounting component, the member having a lower coefficient of friction than both the balance ring and the mounting component, whereby the member is arranged to allow relative sliding movement between the balance ring and the mounting component in a radial direction,” as recited by amended claim 1, nor does it disclose or suggest the analogous arrangement recited by amended claim 12.

For the foregoing reasons, the Applicant respectfully submits that claims 1 and 12 are neither anticipated, nor rendered obvious, by Esterson, Heppinstall, or Priest. Claims 3, 7, 10, 13-15, and 17-20 depend variously from claims 1 and 12, and are patentable for at least the same reasons.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn.

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Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

Date: 5/6/2008


Steven J. Schwarz
Registration No. 47,070
VENABLE LLP
P.O. Box 34385
Washington, DC 20043-9998
Telephone: (202) 344-4000
Direct Dial: (202) 344-4295
Telefax: (202) 344-8300

Enclosures: Copy of Form PTO/SB/08A submitted on June 2, 2005
GB 2 172 425

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